

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/30/2020

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARCOS MIGUEL GONZALEZ, <i>on behalf of</i>	:
<i>himself, FLSA Collective Plaintiffs and the Class,</i>	:
	:
Plaintiff,	:
	:
-against-	:
	:
	20-CV-9434 (VEC)
GRAMERCY FARMER & THE FISH, LLC,	:
HUDSON FISH, LLC d/b/a HUDSON FARMER	:
& THE FISH, LLC, MICHAEL KAPHAN,	:
EDWARD TAYLOR, SUZIE KAPHAN, and	:
DONNA TAYLOR,	:
	:
Defendants.	:
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ORDER

VALERIE CAPRONI, United States District Judge:

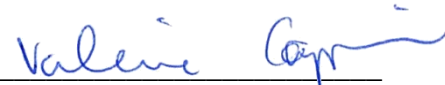
WHEREAS on November 10, 2020, Plaintiff filed a Complaint alleging violations of the Fair Labor Standards Act and related state law claims, Dkt. 1; and

WHEREAS on December 29, 2020, Plaintiffs filed a notice of voluntary dismissal without prejudice pursuant to Federal Rule of Civil Procedure 41(a), Dkt. 21;

IT IS HEREBY ORDERED that Plaintiff must inform the Court by no later than **January 8, 2021**, whether the parties have entered into a settlement agreement to resolve Plaintiff's claims. If the parties have settled, the Court may not dismiss this action unless the settlement agreement has been approved by either the Court or the Department of Labor (DOL). *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206 (2d Cir. 2015). If the parties have not entered into a settlement agreement, Plaintiff's counsel must submit a sworn affidavit that his clients have agreed to dismiss the case without settlement and that counsel has informed his clients that they have the right to retain another attorney and refile the case.

SO ORDERED.

Date: December 30, 2020
New York, New York



VALERIE CAPRONI
United States District Judge